Paterson

App. F IX-4

Previous References

1928.
(Municipal)

File No. 63-28

Serial Nos. 160 & 191

Later References

ml 73-29
No 28-53
Vol 60-33, 11, 46, 48, 64, 102, 103

General and Revenue Secretariat.

Serial Nos. Two

Part B for July 1929

SUBJECT

Forwarding for Sanction the draft bye-laws framed by the Tepliz Municipal Council regarding the levy of octroi duty in the Municipality

No 4591 dated 20-7-29,

Approved

To

the Deputy Commissioner, Turukwa District, with a copy of the sanctioned bye-laws

Letter No.AB.2854-59 dated 23rd May 1959, from [illegible] Commissioner, Kolar District, to the General Secretary to Government of Mysore.

I have the honour to state that the President, Tiptur Municipality reports in his No.TM.25/30-59 dated 10-5-1959, that the Municipal Council intending to pass the accompanying resolution by-law published the draft thereof under Section 63 (3) of the Municipal Regulations for the information of the local public on 5-3-1959 and invited objections thereto within one month from that date, that there having been no objections from the local public, a sub-committee was formed to suggest changes if any on the proposed by-laws that the secretary of the sub-committee reported the views of the committee on 17-5-1959 and that the drafts were discussed in the Council on the same date and changes made in them. He requests that sanction of Government may be obtained thereto.

2. I request that the above proposals of the Municipal Council may kindly be considered.

3. The papers of the President and the minutes are returned in original for kind reference.

[illegible]

[illegible]

BYE-LAWS FRAMED BY THE TIPTUR TOWN MUNICIPAL COUNCIL

UNDER Sec. 48 (1) K.

-:O:-

OCTROI

1. The local limits for the purpose of collecting Octroi duty shall be the Municipal limits or boundaries of Tiptur Town.

2. Articles liable to Octroi and intended to be brought within these limits shall be produced on arrival at the Ookad or Railway Station or Octroi House, to enable the Octroi Officer to inspect the same.

3 All Officers of the Municipality, not below the rank of Mutasaddi, are authorised to inspect the content of any conveyance or package under Sec 76 of the Municipal Regulation

4. When articles have been examined at the Ookads or Railway Station such of the articles as are liable to Octroi duty shall be brought by the importer to the Octroi house.

5. A table showing the Octroi leviable shall be open to inspection of any person both in the Municipal Office and Octroi House, which should be exhibited in a conspicuous part thereof and a copy shall be supplied to any person on requisition for the same

6. When the goods are so brought to the Octroi House, they may be got unloaded and counted or weighed by the Officer in Charge of the Octroi house. The duty payable thereon should be collected and intimated to the importer or the person in charge of the goods, who shall either pay the amount demanded, obtain a receipt for such payment and permission for the removal of goods or deposit the same in the Octroi house and obtain a receipt therefor. If the importer expresses or desires to re-export the goods at once, he shall be permitted to do so after issue of an export pass subjecting the goods to the escort of an Octroi subordinate.

(The importer shall produce the invoice of such goods in duplicate. The invoice in original shall be returned to the importer, after the amount of duty collected and receipt number have been

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been noted thereon; and the duplicate in like manner bearing such entry shall be filed in the Octroi house.)

7. If the importer fails to produce the invoice, a list of the articles showing their approximate values, weights or quantities (together with rates) shall be prepared by him, which should be checked by the Officer in Charge of the Octroi house; and Octroi levied accordingly.

Exemptions:- Personal luggage of travellers not exceeding one cloth, each, 100 betel leaves, half a seer of tobacco are exempted from payment of Octroi duty.

8. OCTROI HOUSE. The Octroi house shall be open for transaction of business from 7 to 10 A.M. and 12 to 3 P.M daily except on Sundays and holidays authorised by the President. Arrangements shall however be made by the Officer in charge of the Octroi house for dealing with perishable articles on such days.

9. Any importer depositing goods in the Octroi house shall, unless he has previously by weighing, counting or appraising, ascertained the amount of Octroi payable thereon, give a declaration of the description, weight, quantity, and if necessary the value of such goods.

10. The importer shall always obtain a receipt from the Officer in charge of the Octroi house for all goods deposited in the Octroi house; and the Octroi department is not responsible for any goods left at the premises and not covered by a receipt.

11. The receipt obtained from the Octroi Department for depositing goods shall be returned before taking the delivery of the articles to which it refers.

12. If the depositor does not himself take delivery of the articles deposited, he must endorse on the receipt a request for delivery to the person to whom he wishes it to be made.

13. Any person who has deposited goods in the Octroi house may

any break bulk or change the packing thereof on application to the Officer in charge of the Octroi house or may, on paying full duty thereon, import such goods into the town covered by a permit or may export such goods free, covered by an export pass, subject to the escort of an octroi subordinate.

14. For 20. export pass granted under this bye-law or bye-law No.6, no fee shall be charged.

15. The export pass shall be in duplicate, the original being retained by the Officer in charge of the Octroi house, and the duplicate delivered to the exporter.

16. No goods shall be allowed to leave the Octroi house under free Export Pass, until storage fees have been paid thereon under the following rules:-

(i) Goods shall be allowed to remain for two days free of charge.

(ii) After that period rates as in the following Schedule shall be charged for seven days.

	Rs.	A.	P.	
Piece-goods per bale of 400 lbs. or over or per case of six dozens or over or of a value exceeding Rs.100/-	0	1	0	a day
- do - per bale of less than 400 lbs. or per case of less than six dozens or of a value of Rs.100/-, or less	0	0	6	a day
Tobacco per maund of 24 lbs. or part thereof	0	0	6	a day
Betel leaves for 1,000	0	0	3	do.
Kerosine Oil or Petrol per tin	0	0	2	do.
Cigarettes or Cheroots per thousand ..	0	0	1	do.

(iii) Double these rates shall be charged after seven days provided that the Collector or Chief Officer may in his discretion allow a reduction in or exemption from such penal rates.

(iv) The date of admission and removal of goods shall reckon as one day and Sundays and close holidays shall not be taken into account in reckoning the date from which fees under each class shall be payable. When the delay is caused by the inability of the Officer in charge of the Octroi house to examine and pass the goods, such delay shall not be reckoned.

17. All perishable goods remaining uncleared or unclaimed for a longer period than 48 hours shall be sold by public auction to the highest bidder at the Octroi house. All other goods remaining uncleared or unclaimed for a longer period than 3 months shall be sold in like manner provided that before selling such goods notice of the fact shall be posted for seven days at the Octroi house and at the Municipal Office and provided also that the goods shall be sold earlier when the storage fees are likely to exceed their values.

18. When any goods are sold under bye-law No.17, the sale proceeds shall be credited to the Municipal Funds in payment of duty and storage fees due in respect thereof provided that if the amount realised by the sale exceeds the amount so due the balance shall be kept in deposit for six months and any claim for such balance received during that time shall be duly considered by the President. At the expiry of six months and after all claims received during that period have been duly disposed of, the balance shall be credited to the Municipal Funds. No claims shall be admitted after said period of six months except by the special permission of the Council.

19. The Municipal Council shall not be responsible for any damage that may be caused to goods deposited in the Octroi house, whether such goods are being passed into and out of the Octroi house or while they remain, unless such damage is proved to have been caused by the wilful neglect of the Octroi house-keeper or other person charged with the safe custody of the goods.

20. (1) REFUNDS:- No refunds of Octroi duty shall be granted except in the case of goods which are exported within three months from the date on which Octroi was levied; and no refunds shall be granted of any sum less than One Rupee.

(2) No sum shall be refunded unless the person entitled to it applies for payment within three months of delivery to him of notice of the refund having been duly authorised. In such notice, the period within which the refund must be demanded shall be always stated.

21. Any person claiming refund under the above rule shall produce the goods to be exported at the Octroi house together with the original receipt for Octroi duty paid thereon and an application for refund, prepared in duplicate showing such particulars as the President may from time to time prescribe.

22. The Officer in charge of the Octroi house on being satisfied as to the identity of the goods produced with those for which receipt has been granted, shall endorse the two parts of the application with an export pass and keeping one copy of it in the Office shall deliver the other to the applicant.

23. The person seeking refund shall produce the duplicate pass duly endorsed at the Octroi house; and after due check thereof by the Officer in charge of the Octroi house, the claim shall be forwarded for orders of the President.

24. MISCELLANEOUS. The Municipal Officers, (above the rank of Octroi Mutasaddi) may inspect the shops at all reasonable hours to see if there are any smuggled goods and the shop keeper shall be bound to allow such inspection.

25. The Officer in charge of the Octroi house who has reason to believe that any article on which Octroi has not been paid is kept or concealed in any premises, may enter into such premises, seize such article and arrest any person in possession of the same after obtaining the warrant of a Magistrate, having due regard to provisions given in Sec. 77 A (2) and (3) of the Mysore Municipal Regulations.

26. Importers of dutiable articles, shall, if called upon by a requisition in writing signed by the President or Chief Officer within one year of import, account for the articles received by them by producing either a permit obtained in token of payment of Octroi duty or an export pass in proof of having exported the whole or part of the articles so received or otherwise.

27. Any person infringing any of these bye-laws shall (in addi-

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addition to the Octroi duty) be liable to a fine not exceeding Rs.50/-, or on prosecution before any Magistrate under Sec. 161 to a fine not exceeding Rs.100/-, and in case of continuing offences, to a fine not exceeding Rs.5/-, for every day during which such infringement continues provided that the total amount of the fine shall not exceed Rs.200/-.

28(1) The President is, on the recommendation of the Officer in charge of the Octroi Office, empowered to award any person who gives any information leading to the detection of the offence of smuggling goods liable to Octroi duty a reward not exceeding one half of the fine recovered and in special cases the full amount of the fine.

(2) A reward may also be given out of a certain sum which the ... court may set apart ... [illegible]

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SCHEDULE OF RATES OF OCTROI DUTY IN THE TIPTUR TOWN MUNICIPALITY.

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No.	Names of Goods.	Quantity or Value.	Rate. Rs.	A.	P.
1.	Betel leaves	per 100	0	0	1
2.	Tobacco	per maund	1	0	0
3.	Piece Goods	100 Rupees	1	9	0
4.	Kerosine Oil and Petrol ..	per tin	0	1	0
5.	Cigarettes	per thousand	0	2	0
~~6.~~	~~Tobacco .. ..

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SUBJECT .....

Diary No. of letter replied to... [illegible]

Section [illegible]
File No 63 28
Serial No 191

General and Revenue Secretariat
([illegible])
, the 192

Proceedings of the Government of His Highness the Maharaja of Mysore

Date of issue. .. 20 7 29 .....

Signed by.. [illegible]

Read— Letter no A2 3024/28-29 dated 23rd May 1929 from the Deputy Commissioner Tumkur District forwarding for sanction the draft bye-laws framed by the Taluk Board regarding the levy of octroi duty in the Municipalities

S.91/Sir Bye-laws

Order Thereon No. — Approved. The bye-laws may be got printed and a dozen copies sent to this office for reference

[illegible]
Jr Secretary to Govt

May this be

i Printed ?

ii treated as a standing order ?

iii published in the Gazette, English Part ?

iv translated ?

v placed at the disposal of the press ?

vi published in the Gazette, Kannada Part ?

To

The Deputy Commissioner Tumkur
[illegible]
bye-laws.

List of enclosures

Copied by

Examined by

WD 1883 GPO—1 000 60—21 12-52

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Proceedings of the Government of His Highness
the Maharaja of Mysore

Read:-

Letter No A3 3024/28-29 dated, the 23rd May 1929 from the Deputy Commissioner, Tumkur District, forwarding for sanction the draft bye-laws framed by the Tiptur Municipal Council regarding the levy of Octroi duty in the Municipality

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ORDER NO L 3-91/me 6,3-28-191

Dated, Bangalore, the 20 July 1929

Approved The bye-laws may be got printed and a dozen copies sent to this office for reference

D. Samarao Rao
For General Secretary to Government

To

The Deputy Commissioner, Tumkur District, with a copy of the bye-laws.

K.M.R.R.
ia/7.